

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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Case No. 2:18-cv-02550-TLP-tmp

JAMES HENRY ALLEN, )  
Petitioner, )  
v. )  
CHERRY LINDAMOOD, )  
Respondent. )

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**ORDER TO MODIFY THE DOCKET AND  
TRANSFERRING CASE PURSUANT TO 28 U.S.C. § 2241(d)**

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On August 10, 2018, Petitioner, James Henry Allen, Tennessee Department of Correction prisoner number 114487, an inmate at the South Central Correctional Facility in Clifton, Tennessee, filed a pro se Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus (“§ 2254 Petition”). (ECF No. 1).

Twenty-eight U.S.C. § 2241(d) provides:

Where an application for a writ of habeas corpus is made by a person in custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him and each of such district courts shall have concurrent jurisdiction to entertain the application. The district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination.

It is the practice of the federal district courts in Tennessee that all § 2254 petitions be heard in the district in which the conviction was obtained.

Petitioner's § 2254 Petition challenges a conviction and sentence from the Circuit Court for Washington County, Tennessee. (ECF No. 1 at PageID 1; *see* ECF No. 1-1 at PageID 12). Washington County is in the Northeastern Division of the United States District Court for the Eastern District of Tennessee. 28 U.S.C. § 123(a)(2). This Court finds that it is in the best interest of justice that this application be heard in the United States District Court for the Eastern District of Tennessee, Northeastern Division.

Therefore, it is hereby **ORDERED**, pursuant to 28 U.S.C. §§ 1406(a) and 2241(d), that this case is **TRANSFERRED**, forthwith, to the United States District Court for the Eastern District of Tennessee, Northeastern Division, where it should be reassigned to a judge sitting in that division. The Clerk is directed to close this case without entry of a judgment.

**IT IS SO ORDERED** this 28th day of August, 2018.

s/Thomas L. Parker  
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THOMAS L. PARKER  
UNITED STATES DISTRICT JUDGE